

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

PLAINTIFF Juan Davila-Bajana		COURT CASE NUMBER CA-04-0253	
DEFENDANT <u>Robert Klark</u>		TYPE OF PROCESS Summons	
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <u>Robert Klark c/o General Counsel, Bureau of Prisons</u>		
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 320 First Street, N.W., Washington DC 20543		
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW		Number of process to be served with this Form 285	1
Juan Davila-Bajana, Reg. No. 47580-053 FCI McKean P.O. Box 8000 Bradford, PA. 16701-0980		Number of parties to be served in this case	7
		Check for service on U.S.A.	X

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Defendant Robert Klark is an employee of the Federal Bureau of Prisons. His present duty station is unknown, but he can be served in care of the General Counsel for the Bureau of Prisons.

Signature of Attorney other Originator requesting service on behalf of: Juan Davila-Bajana	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER NONE	DATE 8/18/05
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY— DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No. _____	No. _____		

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
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Address (complete only different than shown above)	Date _____ Time _____ <input type="checkbox"/> am <input type="checkbox"/> pm Signature of U.S. Marshal or Deputy <u>[Signature]</u>
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Service Fee <u>ga</u>	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges <u>ga</u>	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS: OK/wd marked 9/18/05
12/07/05 RETURNED TO COURT UNEXECUTED - NO RESPONSE TO WAIVER BY MAIL

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

Form USM-285
Rev. 12/15/80
Automated 01/00

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Juan Davilla-Bajana)

vs.

Robert Klark)

Civil Action: 04-0253 Erie

NOTICE OF INABILITY OF EFFECTUATE SERVICE

The Under signed Hereby certified that on 09/15/05, the Order and Complaint in the above captioned case, and the Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were mailed to the above named defendant. No acknowledgment of service has been received, and more than 30 days has elapsed.

Thomas M. Fitzgerald
United States Marshal
Western District of Pennsylvania

Sheila Blessing

By: Sheila Blessing
Administrative Clerk
United States Marshals Service
Western District of Pennsylvania
December 7, 2005

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Notice of Inability to Effectuate Service,

IT IS ORDERED that the Clerk of Court prepare duplicate Summons and Complaint,

AND IT IS FURTHER ORDERED that the United States Marshal make personal service of those documents upon the above named defendant.